

FILED

UNITED STATES COURT OF APPEALS

MAY 29 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

VIRGIL E. DAY; et al.,

Plaintiffs

and

WENDELL MARUMOTO,

Plaintiff-intervenor- Appellant,

v.

HAUNANI APOLIONA, individually and
in her official capacity as Chairperson and
Trustee of the Office of Hawaiian affairs;
et al.,

Defendants - Appellees,

and

STATE OF HAWAII,

Defendant-intervenor - Appellee.

No. 08-16668

D.C. No. 1:05-CV-00649-SOM

District of Hawaii,

Honolulu

JAMES I. KUROIWA, JR.; et al.,

Plaintiffs - Appellants,

v.

LINDA LINGLE, in her official capacity
as Governor of the State of Hawaii; et al.,

No. 08-16769

D.C. No. 1:05-CV-00649-SOM

District of Hawaii,

Honolulu

and

HAUNANI APOLIONA, individually and
in her official capacity as Chairperson and
Trustee of the Office of Hawaiian affairs;
et al.,

Defendants - Appellees,

and

STATE OF HAWAII,

Defendant-intervenor - Appellee.

ORDER

Before: LEAVY and CALLAHAN, Circuit Judges.

Appellants' motion to exceed the page limits for the motion for injunctive relief is granted. The motion is deemed filed.

Appellant Kuroiwa's motion for injunctive relief pending appeal is denied. Plaintiff-intervenor-appellant Wendell Marumoto's joinder in motion for injunctive relief pending appeal is denied.